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Attorney for Defendant Porsha Lee

UNITED STATES DISTRICT COURT  
  
FOR THE DISTRICT OF OREGON  
  
PORTLAND DIVISION

UNITED STATES OF AMERICA,  
Plaintiff,  
  
v.  
  
Porsha LEE,  
Defendant.

Case No. 3:14-CR-184-JO-3  
  
DECLARATION OF ATTORNEY  
ANDERSEN REGARDING MOTION TO  
SEVER AND CONTINUE/RESET TRIAL  
DATE

I, Benjamin Andersen, declare:

1. I am the attorney for the above-named defendant. This case is set for a multi-day trial beginning on October 27, 2014. This is the first meaningful trial date set for this case, set after a status conference with all parties.
2. Porsha Lee's first appearance on this case was May 9, 2013. She was detained pre-trial. On June 18, 2014, she was released with conditions and is currently supervised by the Pretrial Release office for the Eastern District of California in Sacramento. She remains in compliance with her terms of supervision.
3. The government continues to provide discovery in this case.

4. Porsha Lee is pregnant. She is scheduled for delivery via Caesarean section surgery on October 22, 2014, less than a week before the presently-set trial date and a day before the presently-set pretrial conference.

5. Due to her pregnancy, it is difficult, if not impossible, for her to travel to Portland from Sacramento for attorney meetings or for any set hearings. Her ability to travel will be further curtailed as we progress towards the presently-set trial date.

6. I believe it will be an inordinate hardship for Porsha Lee to undergo a trial on this schedule, due to her physical situation.

7. I also believe that it will be difficult for me, as her attorney, to be ready for trial on October 27th. The amount of discovery is large.

8. Co-defendant Blancey Lee has already filed a motion to sever his trial date.

9. Based on the necessity for further preparation as noted above, I believe the ends of justice served by severing Ms. Lee from the trial date and continuing her trial date outweigh the best interest of the public and Ms. Lee in a speedy trial.

10. I have discussed the Speedy Trial Act with Ms. Lee. The most recent occasion being a discussion I had with her the week prior to the filing of this motion. I specifically discussed with her the rights conferred by the Speedy Trial Act, the process for moving the court for a continuance of her trial date, and the reasons why such a motion would be appropriate in her case. Ms. Lee agreed that this motion was appropriate.

11. AUSA Donna Maddux takes no position on the motion to continue, but opposes the motion to sever.

DATED September 15, 2014.

Pacific Northwest Law, LLP

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/s/ (intended as original in electronic filings)

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Benjamin T. Andersen, OSB 06256  
Attorney for Defendant